Los Angeles County Sheriff's Department
Supervisor's Report on Use of Force

Incident Information

URN:	914 - 03075 - 6619 - 145
Date:	06/06/14
Time:	1015
Location:	5060 Exposition Boulevard
City or Station:	Los Angeles
Bureau/Station/Facility:	Transit Services Bureau
Admin. Investigation:	○ YES ◉ NO
Type of Force:	Significant Force / Control Holds, Fractured Left Humorous
Incident Category:	○ 1 ○ 2 ◉ 3
Deputy Injury:	○ YES ◉ NO
Suspect Injury	◉ YES ○ NO
	☐ Call ☒ Observation ☐ Detail ☐ Foot Pursuit ☐ Vehicle Pursuit
IAB Notified:	◉ YES ○ NO
Person Notified:	Lieutenant Berg, M.
Emp:	[redacted]
IAB Roll Out	◉ YES ○ NO

Involved Employee

E1

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	Aispuro	Samuel		Deputy

Sex:	Race:	Height:	Weight:	Age:	Shift:	
◉ M ○ F	W	5' 6"	140	[redacted]	○ EM ◉ Day ○ PM	◉ Regular Shift ○ OT Shift ○ Off Duty

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
Transit Services Bureau	660M2

Individual Force Used:		Individual Category
Control Holds	○ Directed ○ Rescue ○ Medical Assist	○ 1 ○ 2 ◉ 3

☐ Injured ☐ Treated ☐ Admitted Facility: ____ Coroner Case #

E_

Employee #	Last Name	First Name	Middle I.	Rank

Sex:	Race:	Height:	Weight:	Age:	Shift:	
○ M ○ F					○ EM ○ Day ○ PM	○ Regular Shift ○ OT Shift ○ Off Duty

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):

Individual Force Used:		Individual Category
	○ Directed ○ Rescue ○ Medical Assist	○ 1 ○ 2 ○ 3

☐ Injured ☐ Treated ☐ Admitted Facility: ____ Coroner Case #

E_

Employee #	Last Name	First Name	Middle I.	Rank

Sex:	Race:	Height:	Weight:	Age:	Shift:	
○ M ○ F					○ EM ○ Day ○ PM	○ Regular Shift ○ OT Shift ○ Off Duty

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):

Individual Force Used:		Individual Category
	○ Directed ○ Rescue ○ Medical Assist	○ 1 ○ 2 ○ 3

☐ Injured ☐ Treated ☐ Admitted Facility: ____ Coroner Case #

On Duty Supervisor

☐ Additional Involved Employees

Emp #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Lynch	William	H.	Sgt.	YES ○ NO ◉	YES ○ NO ◉

Supervisor Completing Investigation

Emp #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Garcia	Jose	J.	Sgt.	YES ○ NO ◉	YES ○ NO ◉

Watch Commander / Supervising Lieutenant

Emp #	Last Name	First Name	Middle I.	Rank
[redacted]	Barry	Shapiro		Lt.

Barry Shapiro — 6/6/14
Watch Commander / Supervising Lieutenant's **Signature:** — Date — Copy Provided to Employee by: — Emp #:

Karl Schow — [redacted] — 6/6/14
Unit Commander **(Print Name)** — Unit Commander's **Signature:** — Emp #: — Date

FO#

☐ PPI REVIEW COMPLETED

Original: Discovery Unit
Copy: Unit Commander

SH-R-438P (Rev. 01/13)

Supervisor's Report on Use of Force
SUSPECT INFORMATION

943 - 03075 - 6619 - 145

Suspect Information

S 1

Last Name: McCastle | First Name: Pamela | Middle Name: K. | Armed? Select: Not Armed

AKA Last Name: | First Name: | Middle Name:

Sex: ○ Male ◉ Female | Race: B | Age: 28 | Height: 5' 2" | Weight: 155 | D.O.B: 12/31/85 | Phone #1: ○ H ○ W ◉ C [redacted] | Phone #2: ○ H ○ W ○ C

Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Booking #: 3995275 | Primary Charge Code: 148(a)(1) PC | Secondary Charge Code: 498(b) PC | [redacted] Criminal History

Treated on Scene? ◉ YES ○ NO | Name: Los Angeles City Fire | Unit: #894 | Phone #: (213) 978-3800

Hospital Admission? ☒ | Rec'd Treatment At: Southern California Hos | Coroner Case #: | Mental History ☐ User's guide provides direction on this entry

By: Dr. Yvonne Maywether | Address: 3828 Delmas Terrace, Culver City | Phone #: (310) 836-7000

Under Influence: ○ YES ◉ NO | Substance: None | 5150 a factor in force? ○ YES ○ NO User's guide provides direction on this entry

Date: 6/6/14 | Time: 1015 | ☒ Audiotape: | ☐ Videotape: | ☒ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S_

Last Name: | First Name: | Middle Name: | Armed? Select:

AKA Last Name: | First Name: | Middle Name:

Sex: ○ Male ○ Female | Race: | Age: | Height: | D.O.B. | Weight: | Phone #1: ○ H ○ W ○ C | Phone #2: ○ H ○ W ○ C

Street Address: | City: | State & Zip Code:

Booking #: | Primary Charge Code: | Secondary Charge Code: | ☐ Criminal History

Treated on Scene? ○ YES ○ NO | By: | Unit: | Phone #:

Hospital Admission? ☐ | Rec'd Treatment At: | Coroner Case #: | Mental History ☐ User's guide provides direction on this entry

By: | Address: | Phone #:

Under Influence: ○ YES ○ NO | Substance: | 5150 a factor in force? ○ YES ○ NO User's guide provides direction on this entry

Date: | Time: | ☐ Audiotape: | ☐ Videotape: | ☐ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S_

Last Name: | First Name: | Middle Name: | Armed? Select:

AKA Last Name: | First Name: | Middle Name:

Sex: ○ Male ○ Female | Race: | Age: | Height: | D.O.B. | Weight: | Phone #1: ○ H ○ W ○ C | Phone #2: ○ H ○ W ○ C

Street Address: | City: | State & Zip Code:

Booking #: | Primary Charge Code: | Secondary Charge Code: | ☐ Criminal History

Treated on Scene? ○ YES ○ NO | By: | Unit: | Phone #:

Hospital Admission? ☐ | Rec'd Treatment At: | Coroner Case #: | Mental History ☐ User's guide provides direction on this entry

By: | Address: | Phone #:

Under Influence: ○ YES ○ NO | Substance: | 5150 a factor in force? ○ YES ○ NO User's guide provides direction on this entry

Date: | Time: | ☐ Audiotape: | ☐ Videotape: | ☐ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

☐ **Additional Suspects Involved**

Supervisor's Report on Use of Force

9 4 3 - 0 3 0 7 5 - 6 6 1 9 - 1 4 5

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(RO) Restraint Device (Other)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(IR) Less Lethal Impact Round (other)
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative
(HR) High Risk

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Involved

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
McCastle	S#1	Aispuro	E#1	RS	NN	NN
Aispuro	E#1	McCastle	S#1	CH	FR	AR

INTERNAL AFFAIRS BUREAU
FORCE REVIEW SUMMARY
FO2357598

UNIT: **Transit Services Bureau**

DATE: **June 6, 2014, Friday**

TIME: **1011 hours**

LOCATION: **5060 Exposition Boulevard, Los Angeles CA 90016**

URN #: **914-03075-6619-145**

On June 6, 2014, Lieutenant Michael Berg, Sergeant David Ladjevic and Sergeant Jose J. Garcia of the Internal Affairs Bureau responded to Century Regional Detention Facility. This was in regards to a use of force by Deputy Samuel Aispuro #[redacted] during an arrest.

On June 6, 2014, Deputy Aispuro #[redacted] was assigned to traffic enforcement on a Sheriff's department motorcycle. He was riding by the Metro Exposition Line PAX, when he saw a woman (Suspect Pamela McCastle) seated on a PAX bench, on the street level. He recognized the suspect from a previous contact two weeks prior. During the first contact, Deputy Aispuro observed the suspect charging her cellular telephone from a PAX electrical outlet. The electrical outlet was originally installed with a locking door in order to keep the public from stealing electricity (utilities), without paying. Persons unknown removed the locking door of the outlet.

During the first contact, Deputy Aispuro warned the suspect that she was not supposed to charge her telephone at the PAX outlet, that she was stealing utilities. The suspect told Deputy Aispuro that she did not know she was stealing utilities and was allowed to leave.

On June 6, 2014, Deputy Aispuro saw the suspect seated on the same bench of the Metro Exposition Line PAX. He stopped and dismounted his motorcycle. As he approached the suspect, he saw she had her cellular telephone connected to the same electrical outlet.

As the suspect noticed Deputy Aispuro, she stood up and disconnected her telephone. Deputy Aispuro asked the suspect for identification and she said she did not have identification. Deputy Aispuro's intentions were to cite the suspect for Theft of Utilities.

The suspect walked away from Deputy Aispuro and collected her telephone as well as her purse. Deputy Aispuro tried to detain the suspect by grabbing her left and right wrists from behind as she walked away. Simultaneously, the suspect pulled away from Deputy Aispuro and turned counter clockwise. With her right hand free, she bladed her left side toward Deputy Aispuro.

In order to gain control of the suspect, Deputy Aispuro pulled the suspect's left wrist toward him and continued to reach for her right arm from behind her. The suspect continued to pull away from Deputy Aispuro, thus, resisting his hold. At this time, Deputy Aispuro heard a snap coming from the suspect's arm. Deputy Aispuro believed her arm may have broken. She continued to resist his grasp and Deputy Aispuro requested assisting units to his location, as well as rescue for the suspect's injury.

Deputy Aispuro guided the suspect to the ground and held her down until assisting units arrived. The suspect was placed under arrest without further incident.

INVOLVED PERSONNEL:

Samuel Aispuro: Deputy Sheriff, #[redacted]
Homeland Security Division
Transit Services Bureau

EMPLOYEE WORK HISTORY:

Samuel Aispuro:

Date of Employment:	December 6, 2004
Date Assigned to Patrol:	March 17, 2013
Date Completed Patrol Training:	[redacted]
Prior Founded Force:	

EMPLOYEE WITNESSES:

None

INTERNAL AFFAIRS BUREAU
FORCE REVIEW SUMMARY

CIVILIAN WITNESSES:

None

SUSPECT:

Pamela McCastle: FB/28

[redacted] CII # [redacted] FBI # [redacted]

CRIMINAL HISTORY:

Suspect Pamela McCastle: **Criminal History** consists of the following convictions:

[redacted] For further details regarding Pamela McCastle's criminal history, refer to **Exhibit A, Criminal Case, Criminal History.**

INJURIES:

Suspect Pamela McCastle sustained a fractured left humerus.

IAB Note: Physician's Assistant, Cherie Short, Southern California Hospital at Culver City, treated the suspect for her injury. Sergeant William Lynch # [redacted] spoke to P.A. Short, who told him that the suspect's injuries were consistent with the force used by Deputy Aispuro.

IAB Note: For further details regarding the above injuries, refer to **Exhibit C. Medical report Southern California Hospital at Culver City, and Supplemental Report by Sergeant Lynch.**

Deputy Aispuro was not injured during this incident.

INTERNAL AFFAIRS BUREAU
FORCE REVIEW SUMMARY

PHYSICAL EVIDENCE:

Digital Video Disc:

Metro Transit Services Bureau, Surveillance Video from Metro Exposition PAX, depicting contact between Deputy Aipsuro and the suspect. DVD also contains Voiceprint of Emergency Radio Traffic by Deputy Aispuro following this incident. For further details regarding this video refer to **Exhibit D, DVD containing surveillance video and voice print of emergency traffic.**

FORCE USED BY DEPUTY PERSONNEL:

Deputy Samuel Aispuro:

Control Holds.

PROPERTY DAMAGE:

None

CRIMINAL CHARGES FILED:

Count 1: **Obstruction, Resisting Public Officer, 148 (A) (1) PC.**
Case Pending Disposition.

LIGHTING AND WEATHER CONDITIONS:

Incident occurred outdoors, during daylight hours.

Witnesses:

None

INVOLVED EMPLOYEES STATEMENTS:

Samuel Aispuro:

INTERNAL AFFAIRS BUREAU
FORCE REVIEW SUMMARY

Samuel Aispuro, Deputy #[redacted]Transit Services Bureau, Traffic Motors Unit, was interviewed on March 10, 2015, by Sergeants Jose J. Garcia and Mark Lopez of the Internal Affairs Bureau. The interview was conducted at the Internal Affairs Bureau and it was audio recorded. The following is a summary of the interview:

Deputy Aispuro said he was assigned a Traffic Motors Unit on June 6, 2014. He was on patrol and saw a woman (the suspect) sitting on a bench on the street level of the Exposition Boulevard PAX.

Deputy Aispuro recognized the suspect from having contacted her approximately one week prior. The week prior, the suspect was seated on the same bench with other people. He could not recall who or how many people were with the suspect at this time. She was charging her cellular telephone on a PAX outlet, which is not supposed to be used by the public.

Deputy Aispuro said that the outlet was originally locked with a locking door, but persons unknown damaged the locking mechanism and removed the door.

During the first contact, Deputy Aispuro told the suspect that she was stealing utilities and that she could be cited or even arrested for the crime. The suspect told Deputy Aispuro that she did not know she was stealing utilities. Deputy Aispuro allowed the suspect and the people she was with to leave.

Deputy Aispuro was asked if he reported the outlet door broken to any transit maintenance employee and he said he did not report it. He said that it is common and he often reports maintenance problems to the Transit maintenance employees but only when he sees those employees throughout the week. He said he intended on reporting the broken outlet door but had not seen any maintenance employees that week.

On June 6, 2015, Deputy Aispuro stopped his motorcycle and walked up to the suspect. As he approached her, he could see that she was charging her cellular telephone on the same outlet.

The suspect immediately stood up, grabbed her purse, walked to the outlet and disconnected her telephone. As she walked away from Deputy Aispuro, he asked her for identification and she told him she had no identification. Deputy Aispuro said that his intention was to cite her for the violation.

Due to the suspect walking and stating she had no identification, he tried to detain her by grabbing her wrists from behind. He said he recalled grabbing her left wrist with his left hand and her right wrist with his right hand from behind.

The suspect continued to walk away and pull away from Deputy Aispuro. Deputy Aispuro told her to stop resisting and for a moment, the suspect stopped resisting.

Deputy Aispuro reached for his handcuffs with his right hand at which time, the suspect pulled her right hand away, turned counterclockwise and bladed the left side of her body toward Deputy Aispuro.

Deputy Aispuro said he was surprised at the suspect's reaction to his attempt to detain her. As the suspect resisted, she repeatedly said she wanted to go home.

Deputy Aispuro said he attempted to effect a wrist lock by locking the suspect's wrist between his left forearm and his chest. The suspect continued to try to pull away from Deputy Aispuro.

Deputy Aispuro said as he pulled her left arm toward him he felt and heard a loud pop coming from her left arm. He immediately believed the suspect's arm was broken.

Deputy Aispuro said that when he heard her arm pop, he released pressure on the suspect's arm and told her to get on the ground.

The suspect told Deputy Aispuro that he broke her arm as she stood, at which time Deputy Aispuro guided the suspect down to the ground and held her down by placing his hands on her back. Deputy Aispuro requested units to assist him at the location as well as rescue for the suspect.

Deputy Aispuro kept the suspect pinned down and she was not handcuffed until assisting units arrived.

Deputy Aispuro was asked if he considered using any other tools or weapons to overcome the suspect's resistance. He said he believed he had a certain amount of control of the suspect and did not want to release his hold on her, so he chose to not deploy any other tools.

Deputy Aispuro was shown a surveillance video from the Exposition PAX, which depicted the incident between him and the suspect.

Deputy Aispuro was asked if his recollection of the incident was refreshed or even changed after seeing the video. He said that the video was consistent with his recollection of the incident.

Deputy Aispuro recalled grabbing the suspect's two wrists from behind when he first made contact with the suspect. In the video, it appeared that he approached her and only grabbed the suspect's left wrist and not her right wrist. Deputy Aispuro was asked to explain this and he said that his recollection is that he held both of the suspect's wrists and that it was difficult to see the actions he explained in the video.

SUSPECT'S STATEMENT:

Pamela McCastle:

Pamela McCastle, was interviewed on June 6, 2014, by Sergeants Jose J. Garcia and David Ladjevic of the Internal Affairs Bureau. The interview took place at Century Regional Detention Center, in an interview room. The interview was audio recorded. This is a summary of the interview:

The suspect said that three weeks prior to June 6, 2014, she was charging her telephone at the same station when Deputy Aispuro warned her that she could be arrested for charging her telephone there. Deputy Aispuro told her that he would arrest her if she did this again. She said she took this as a warning and believed he would return.

The suspect said that earlier that day, on June 6, 2014, she was sitting at the Brea and Jefferson Metro station. She said she was charging her telephone from an electrical outlet, when Deputy Aispuro arrived and told her she was going to jail for charging her telephone. The suspect said she told Deputy Aispuro she was not going to jail for charging her telephone so she resisted his arrest. She said she pulled away and would not be handcuffed. The suspect said that she thought it was no big deal to charge her telephone so she did not want to go to jail. The suspect said that Deputy Aispuro grabbed her left arm and tried to grab her right arm. With her right hand free, she dialed 911 and tried to tell the 911 operator that she was being arrested for charging her telephone.

The suspect said that as Deputy Aispuro grabbed her from behind, he struck her left tricep area with a "karate chop." The suspect continued to pull away from Deputy Aispuro as he pulled her left arm toward him. The suspect heard Deputy Aispuro call for "back up" and then told her to get on the ground, which she did.

The suspect was asked if she complied with Deputy Aispuro's command to get on the ground and to stop resisting and she said she gave up once the other deputies arrived. The suspect said she was handcuffed by one of the assisting deputies.

The suspect said she was struck only once on her tricep and was not struck anywhere else.

The suspect later said that Deputy Aispuro struck her before she began to resist. She said she only resisted because she was in fear for her life, adding that she was afraid of Deputy Aispuro pulling out his baton and using it on her.